

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

ANTHONY REDMOND,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 09-cv-606-JPG
)	
JOHN EVANS, <i>et al.</i>,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

GILBERT, District Judge:

At the time he filed his pro se civil rights complaint pursuant to 42 U.S.C. § 1983 and his motion to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 (doc. 2),¹ Plaintiff was confined at the Big Muddy Correctional Center. Although it appears that *after* filing the complaint and the instant motion to proceed *in forma pauperis* Plaintiff was released from confinement, he was detained at the time he filed these pleadings and, therefore, the prisoner provisions of 28 U.S.C. § 1915 still apply. *See Robbins v. Switzer*, 104 F.3d 895, 897-98 (7th Cir. 1997).

Following the procedure detailed by the Seventh Circuit in *Robbins*, this Court is required to calculate and Plaintiff is obligated to pay an initial partial filing fee based on Plaintiff's jail account information. *Robbins*, 104F.3d at 898-99.

¹Plaintiff actually submitted his account statements which the Court is construing as his motion to proceed *in forma pauperis*.

IT IS THEREFORE ORDERED that the motion for leave to proceed *in forma pauperis* (Doc. 2) is **GRANTED**.

Based on the financial information provided with the motion to proceed *in forma pauperis*, **IT IS FURTHER ORDERED** that Plaintiff shall pay an initial partial filing fee of \$9.04 within **FIFTEEN (15) DAYS** of the entry of this Order.

Additionally, because Petitioner is no longer detained or incarcerated, he must pay the remaining balance of the \$350 filing fee (\$340.96) or file a motion to proceed *in forma pauperis* with regard to the balance within **FIFTEEN (15) DAYS** of the entry of this Order. *Robbins*, 104 F.3d at 899.

IT IS FURTHER ORDERED that if Plaintiff does not comply with this Order in the time allotted, this case will be dismissed for failure to comply with an order of this Court. FED.R.CIV.P. 41(b); *Robbins*, 104 F.3d at 899; *see also Ladien v. Astrachan*, 128 F.3d 1051 (7th Cir. 1997); *Johnson v. Kamminga*, 34 F.3d 466 (7th Cir. 1994).

IT IS SO ORDERED.

Dated: March 11, 2010.

s/ J. Phil Gilbert
U. S. District Judge